

AMENDED IN ASSEMBLY MAY 15, 2006

AMENDED IN SENATE APRIL 18, 2005

**SENATE BILL**

**No. 230**

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**Introduced by Senator Figueroa**

February 15, 2005

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An act to ~~amend Section 473.15~~ *repeal Section 8698.6 of the Business and Professions Code, relating to the Osteopathic Medical Board of California. Code, relating to pests, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 230, as amended, Figueroa. ~~Osteopathic Medical Board of California. Structural Fumigation Enforcement Program.~~

*Existing law provides that the Los Angeles County Agricultural Commissioner or the Orange County Agricultural Commissioner may contract with the Director of the Department of Pesticide Regulation to perform increased structural fumigation, inspection, and enforcement activities. Existing law authorizes the director to adopt regulations to carry out these provisions and to levy a civil penalty against a person violating these provisions. Under existing law, these provisions would be repealed on July 1, 2006.*

*This bill would extend these provisions indefinitely.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~The Osteopathic Initiative Act provides for the creation of the Osteopathic Medical Board of California to license and regulate osteopathic physicians. Existing law requires the board to prepare an analysis and submit a report, containing specified information, to the~~

~~Joint Committee on Boards, Commissions, and Consumer Protection on or before September 1, 2004.~~

~~This bill would require the board to prepare the analysis and submit the report to the Joint Committee on Boards, Commissions, and Consumer Protection on or before September 1, 2010.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 8698.6 of the Business and Professions~~  
2     ~~Code is repealed.~~

3     ~~8698.6. This chapter shall remain in effect only until July 1,~~  
4     ~~2006, and as of that date is repealed, unless a later enacted~~  
5     ~~statute, which is chaptered before July 1, 2006, deletes or extends~~  
6     ~~that date.~~

7     ~~SEC. 2. This act is an urgency statute necessary for the~~  
8     ~~immediate preservation of the public peace, health, or safety~~  
9     ~~within the meaning of Article IV of the Constitution and shall go~~  
10    ~~into immediate effect. The facts constituting the necessity are:~~

11    ~~In order to ensure that the Structural Fumigation Enforcement~~  
12    ~~Program continues in operation, it is necessary that this act take~~  
13    ~~effect immediately.~~

14    ~~SECTION 1. Section 473.15 of the Business and Professions~~  
15    ~~Code is amended to read:~~

16    ~~473.15. (a) The Joint Committee on Boards, Commissions,~~  
17    ~~and Consumer Protection established pursuant to Section 473~~  
18    ~~shall review the following boards established by initiative~~  
19    ~~measures, as provided in this section:~~

20    ~~(1) The State Board of Chiropractic Examiners established by~~  
21    ~~an initiative measure approved by electors November 7, 1922.~~

22    ~~(2) The Osteopathic Medical Board of California established~~  
23    ~~by an initiative measure approved June 2, 1913, and acts~~  
24    ~~amendatory thereto approved by electors November 7, 1922.~~

25    ~~(b) The Osteopathic Medical Board of California shall prepare~~  
26    ~~an analysis and submit a report as described in subdivisions (a) to~~  
27    ~~(c), inclusive, of Section 473.2, to the Joint Committee on~~  
28    ~~Boards, Commissions, and Consumer Protection on or before~~  
29    ~~September 1, 2010.~~

1     ~~(e) The State Board of Chiropractic Examiners shall prepare~~  
2     ~~an analysis and submit a report as described in subdivisions (a) to~~  
3     ~~(e), inclusive, of Section 473.2, to the Joint Committee on~~  
4     ~~Boards, Commissions, and Consumer Protection on or before~~  
5     ~~September 1, 2005.~~

6     ~~(d) The Joint Committee on Boards, Commissions, and~~  
7     ~~Consumer Protection shall, during the interim recess of 2004 for~~  
8     ~~the Osteopathic Medical Board of California, and during the~~  
9     ~~interim recess of 2005 for the State Board of Chiropractic~~  
10    ~~Examiners, hold public hearings to receive testimony from the~~  
11    ~~Director of Consumer Affairs, the board involved, the public, and~~  
12    ~~the regulated industry. In that hearing, each board shall be~~  
13    ~~prepared to demonstrate a compelling public need for the~~  
14    ~~continued existence of the board or regulatory program, and that~~  
15    ~~its licensing function is the least restrictive regulation consistent~~  
16    ~~with the public health, safety, and welfare.~~

17    ~~(e) The Joint Committee on Boards, Commissions, and~~  
18    ~~Consumer Protection shall evaluate and make determinations~~  
19    ~~pursuant to Section 473.4 and shall report its findings and~~  
20    ~~recommendations to the department as provided in Section 473.5.~~

21    ~~(f) In the exercise of its inherent power to make investigations~~  
22    ~~and ascertain facts to formulate public policy and determine the~~  
23    ~~necessity and expediency of contemplated legislation for the~~  
24    ~~protection of the public health, safety, and welfare, it is the intent~~  
25    ~~of the Legislature that the State Board of Chiropractic Examiners~~  
26    ~~and the Osteopathic Medical Board of California be reviewed~~  
27    ~~pursuant to this section.~~

28    ~~(g) It is not the intent of the Legislature in requiring a review~~  
29    ~~under this section to amend the initiative measures that~~  
30    ~~established the State Board of Chiropractic Examiners or the~~  
31    ~~Osteopathic Medical Board of California.~~